

September 1, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Re: **Subscriber Acknowledgement Report (September 1, 2005)**
RCN Telecom Services of Illinois, LLC; WC Docket No. 05-196

Dear Ms. Dortch:

RCN Telecom Services of Illinois, LLC ("RCN"), through its undersigned counsel and in response to the Commission's VoIP E911 Order ("Order") and the Public Notice issued by the Enforcement Bureau ("Bureau") on August 26, 2005 ("Public Notice"), submits this Subscriber Acknowledgement Report ("Report") to advise the Commission of the status of RCN's efforts to comply with Commission Rule 9.5(e). RCN previously filed a Subscriber Acknowledgement Report on August 10, 2005 in response to the Bureau's July 26, 2005 Public Notice ("August 10 Report").

As explained in the August 10 Report, RCN uses Voice Over Internet Protocol technology only for the connection, over RCN dedicated facilities, between the customer's premises and the RCN voice-capable switching equipment. The service does not use the public Internet and customers do not have to purchase an Internet access connection to use RCN's voice telephone service. RCN therefore does not believe it is an "interconnected VoIP provider" within the meaning of the Order. Nonetheless, in the interest of public safety, RCN has chosen voluntarily to comply fully with the Order until this uncertainty is clarified.

As requested in the Public Notice, RCN responds to the following questions set out in the Public Notice:

- 1) **A detailed explanation regarding current compliance with the notice and warning sticker requirements *if* the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update**

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this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.

As explained in its August 10 Report, RCN sent advisories to all of its subscribers by the July 29, 2005 deadline. As of the date of that filing, RCN had not yet sent warning stickers to customers whose service was installed between July 12 and August 11, constituting approximately 8% of customers. Warning stickers will be mailed to these customers on or before September 16, at which time RCN will have 100% compliance with this requirement.

2) A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.

Since RCN launched its Digital Phone service, it has provided subscribers with appropriate advisories. *First*, each subscriber is furnished, at the time of installation, with a printed copy of the RCN Comprehensive User Guide, which includes clauses in which E911 issues are specifically addressed. *Second*, it is RCN's policy that, at the time of installation, service technicians must require subscribers to sign a work order that includes a notice that Digital Phone service, including the ability to access E911 service, will not be available in the event of a power or network failure. *Finally*, RCN's website contains copies of the Comprehensive User Guide mentioned above which contains E911-related advisories. Based on these policies and practices, RCN believes that it has already notified, and obtained the affirmative acknowledgement of, each of its existing Digital Phone subscribers as to the terms and conditions regarding its provision of E911 service. Nevertheless, out of an abundance of caution — and in light of the important public policy interests involved in ensuring that voice customers understand the nature of the E911 that they receive — RCN has taken additional steps to notify and obtain additional acknowledgements from its customers as described in the August 10 Report.

As of August 29, 2005, RCN has obtained affirmative acknowledgement from approximately 38% of its subscriber base, in response to the advisory described in the August 10 Report.

RCN cannot predict with precision what its final response rate will be, but estimates that 20% of its customers will still not have provided affirmative acknowledgement by September 28, 2005.

3) A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory.

RCN is continuing its campaign to contact and obtain affirmative acknowledgment from all of its subscribers on both an inbound and outbound basis. In addition to its initial advisory of July 12, 2005, RCN sent reminder notices to its existing customers on or before August 19, 2005.

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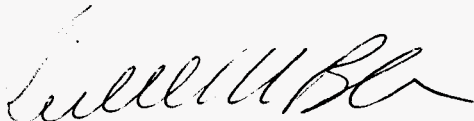
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Due to implementation difficulties, RCN is still in the process of completing the web page redirection process described in its August 10 Report. RCN expects to have this process implemented by September 15.

4) A detailed description of any and all plans to use a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005.

RCN currently plans to restrict the service of those customers that do not provide affirmative acknowledgement, on September 28, 2005. Customers attempting to place calls will be diverted to a recording that advises them to call “611” to have their service restored. Only calls to “611” or “911” will be completed. When a customer calls “611,” they will be connected to a recorded message that will advise them of the limitations on E911 emergency service and will obtain their affirmative acknowledgement of this advisory electronically. Upon completion of this acknowledgement, the customer’s full service will be restored.

Respectfully submitted,

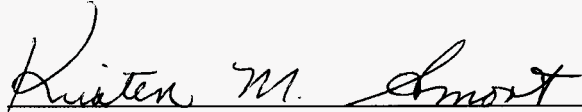
A handwritten signature in black ink, appearing to read "Russell M. Blau".

Russell M. Blau
Wendy M. Creeden

Counsel for RCN Telecom Services of Illinois, LLC

cc: Byron McCoy (FCC)
Kathy Berthot (FCC)
Janice Myles (FCC)
Best Copy and Printing, Inc.
Kristen M. Smoot (RCN)

I, Kristen M. Smoot, state that I am Director Regulatory Affairs of RCN Telecom Services of Illinois, LLC; that I am authorized to submit the forgoing *Subscriber Acknowledgement Report (September 1, 2005)* ("*Report*") on behalf of RCN Telecom Services of Illinois, LLC; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink that reads "Kristen M. Smoot". The signature is written in a cursive style and is positioned above a horizontal line.

Name: Kristen M. Smoot

Title: Director Regulatory Affairs
RCN Telecom Services of Illinois, LLC